



DEVELOPMENT SERVICES DEPARTMENT 797-1111

*Administration
Planning & Zoning
Building & Occupational Licensing
Code Enforcement
Engineering
Housing & Community Development*

TOWN OF DAVIE 6591 ORANGE DRIVE, DAVIE, FLORIDA 33314-3399 (954) 797-1111

**MEMORANDUM
PZ 12-08-99**

DATE: December 28, 1999
TO: Robert Middaugh, Town Administrator
FROM: Mark A. Kutney, AICP, Development Services Director
RE: Agrarian Committee

Development Services Department staff (particularly Tom Willi, Danny Stallone, and myself) have been meeting with the Agrarian Committee since July of this year. Since our initial meeting on July 14, 1999, staff also met with the Agrarian Committee on August 11, 1999, September 8, 1999 and December 9, 1999.

The dialogue has occurred between the Agrarian committee and the Development Services Department because of the issues involved concerning land use and zoning regulations, building permitting and inspections and code compliance issues. The issues that the Agrarian Committee are concerned with relate to a host of state statutes and the Florida Right to Farm Act (FS 823.14). More particularly some of the specific issues that have engendered the discussion are

1. When a property is utilized for farming does the Town have the authority to implement land development related regulations.
2. In conjunction with number 1 above, can the Town require building permit applications and inspection for farm related issues.
3. How would code compliance treat farm related activities when receiving nuisance complaints. Specifically, the Agrarian Committee was concerned with residential development encroaching into areas that have existing agricultural related uses. In essence, how would complaints from such residential areas be handled relative to the existing agricultural uses.
4. What constitutes a farm pursuant to Florida Statutes and what activities constitute farming?

In general, the Agrarian Committee believe that pursuant to Florida Statutes farm uses are exempt from all regulatory actions by the Town. Our dialogue also evolved into the preparation of a "white paper" on how Development Services would treat agricultural uses pursuant to the aforementioned statutes and meeting topics.

However, staff was concerned that the discussions had evolved to the public policy making stand point and before further positions were taken by the Development Services Department, discussion and possible direction should be given by the Town Council. Copies of the draft position statement provided to the Agrarian Committee at the December 9, 1999 meeting are available if desired.

Should you need any further information please advise.

cc: Barry Webber, Town Attorney
Tom Willi, Building Official
Danny Stallone, Code Compliance Official
Jeff Katims, Planning & Zoning Manager